



NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
P112554

RECEIVED

MAY 17 2001

TO 3600 MAIL ROOM

In re Application of
Alvin Neeley et al.

Application Number
09/440,149 Filed
11/15/99

For
Manhole Cover Lifting Apparatus & Method
Group Art Unit
3652 Examiner
Underwood, D.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 2/12/01, rejecting the following claims: 1, 3-9, 13

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 310.

Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 155.

A statement of small entity status under 37 CFR 1.27:

is enclosed.

has already been filed in this application.

A check in the amount of the fee is enclosed.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-3260. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

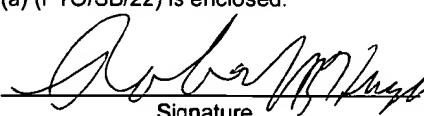
applicant.

assignee of record of the entire interest.

attorney or agent of record.

attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____


Signature

Robert B. Hughes

Typed or printed name

5/10/01
Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

05/15/2001 SDENB0B1 00000071 09440149

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AF/3652 / \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alvin L. Neeley et al.) ArtUnit: 3652
Serial No. 09/440,149) Examiner: Underwood, D.
Filed: November 15, 1999)
For: MANHOLE COVER LIFTING) Attorney
APPARATUS AND METHOD) Ref. No.: P112554

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BOX FEE - AF
Assistant Commissioner for Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

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LETTER

Sir:

Attached is a Notice of Appeal which is being filed in the above application. A check in the amount of \$155.00 is enclosed for the filing fee. It is believed that no other fee is due at this time to maintain the application in full force and effect, however if any such fee is due, please charge this to Deposit account no. 08-2160.

REMARKS

If there is any other matter at this which needs attention, and consultation with the undersigned would be of help, such consultation would be welcome. The undersigned can normally be reached at the phone number below.

Signed at Bellingham, County of Whatcom, State of Washington this May
10th, 2001.

Respectfully submitted,
NEELEY ET AL.

By Robert B. Hughes
Robert B. Hughes, Reg. No. 19,304
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Certificate of Mailing (37 CFR 1.8a)

I hereby certify that this document (along with any document referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on date shown below.

Date 5/10/01
Robin Fry